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New York

President:	Mr. Wang Guangya	(China)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Maquieira
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Khalid
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Lavrov
	Spain	Mr. Arias
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry
	United States of America	Mr. Negroponte

Agenda

The situation between Iraq and Kuwait

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04-24861 (E)

The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

The President (*spoke in Chinese*): The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear briefings by Mr. John Negroponte, the representative of the United States, and Sir Emyr Jones Parry, the representative of the United Kingdom.

I now give the floor to Mr. John Negroponte, the representative of the United States.

Mr. Negroponte (United States of America): The three months since our last update to the Security Council bear witness to major accomplishments in Iraq. The transitional administrative law is nearing completion and will govern Iraq during the period of transition to full democracy, when a duly elected government under a permanent constitution comes into being. Iraqis are working with each other and the international community to map their own way forward politically. The number of Iraqis contributing to the security effort has virtually doubled and is increasing every day. Saddam Hussein is in custody and will undergo due process for crimes committed against the Iraqi people and humanity.

In sum, after decades of oppression, we see the Iraqi people asserting their own vision for Iraq by assuming greater responsibility for security, by managing their natural resources for the benefit of all and by taking the first steps towards representative democracy.

Against the backdrop of those successes, difficult and significant challenges remain. Former regime loyalists, foreign fighters and hardened international terrorists continue to plague the Iraqi people with attacks at police stations, at Eid Al-Adha gatherings and at schools. Those forces have also directed their deadly efforts against anyone who tries to help the Iraqi people — Coalition partners, non-governmental organizations and, yes, the United Nations itself. The campaign of terror and destruction also targets critical infrastructure throughout Iraq. But together, the Iraqi people and those helping them will triumph in the effort to open a new chapter in their proud history, a chapter defined by the emergence of a democratic, pluralistic Iraq.

The international community understands what is at stake in this struggle. Many nations have stepped forward to assist in the rebirth of Iraq, with humanitarian and economic assistance, debt relief, diplomatic support, expert assistance and training to the Iraqi ministries and contributions to the multinational force. In the coming months, the international community must support the Iraqi people to confront the challenges ahead.

As President Bush has stressed, the United Nations has a vital role to play in Iraq both before and after 1 July 2004. The efforts of the Secretary-General, Mr. Brahimi and the members of the United Nations team deployed to Iraq as part of the fact-finding mission vividly demonstrate the vital role of the United Nations.

The Iraqi people, the United Nations and the Coalition all support the transfer of sovereignty by 30 June 2004, as well as direct national elections as soon as practical thereafter. According to polls three weeks after the 15 November agreement, some 77 per cent of Iraqi people were aware of and supported the 30 June target date — a powerful and persuasive reason to support the most rapid possible transfer of sovereignty.

Between now and 30 June, there is much to be done. We welcome the active engagement of the United Nations in helping the Iraqis define their own future and transition to a democratic, pluralistic society at peace with its neighbours.

Let me address the security situation first. United States forces captured Saddam Hussein in a small underground bunker near the city of Tikrit on 13 December 2003. He had extensive information with him about the network of former regime loyalists in Iraq, which has led to the disruption of its activities and the detention of its members. Since Saddam's arrest, the number of attacks against multinational force troops has decreased. However, the attacks on both Iraqi security forces and civilians have increased in the past two months.

In spite of this, the determination of the Iraqi people to assume primary responsibility for their own security remains undeterred, and the courage and

bravery of the Iraqi people has not waned. On the morning Saddam's capture was announced, there was a record spike in the number of Iraqis signing up to serve in the Civil Defence Corps, especially in the Tikrit area.

In November, I provided a comprehensive description of the various Iraqi security forces, specifically the Iraqi Civil Defence Corps, the Facilities Protection Service, the new Iraq armed forces, border security and the police force. In the past three months, the Iraqi Civil Defence Corps has more than doub'ed in size. It performs a range of duties including fixed site security, route convoy security, patrols, cordons, the establishment of checkpoints and other tasks under multinational force command arrangements.

As of 13 February, more than 25,000 Iraqi civil defence corps personnel have been hired and trained, and 3,600 are currently undergoing training. The facilities protection service, charged with protecting Iraq's strategic infrastructure, Government buildings and cultural and educational assets, has also more than doubled since November. As of 15 February, there are more than 70,000 guards on duty.

The number of Iraqi armed forces personnel has also more than doubled. As of 14 February, more than 3,500 personnel had been recruited. Nearly 2,000 are operational, and more than 1,700 are in training. The number of Iraqi border police and immigration and customs inspectors has also almost doubled, from 12,000 to approximately 23,000. Finally, the Iraqi police force has also continued to grow, to approximately 75,000 personnel — about 10,000 more than in November.

On 29 January, the first 466 of the 35,000 officers to be trained in Jordan graduated from the multinational training programme for police recruits. Germany has agreed to provide police experts in forensics to train approximately 150 Iraqi police in the United Arab Emirates. Additionally, the Coalition Provisional Authority is also making progress in developing special capabilities within the Iraqi police force, including in counter-terrorism and in basic criminal investigation.

The Iraqis themselves are at the forefront of the effort to stabilize Iraq, but troops deployed from 35 countries participating in the multinational force are also bravely supporting the Iraqi people.

The Government of Japan has made a historic decision to deploy 1,000 Japanese Self-Defence Forces personnel in and around Iraq. The Republic of Korea, also a force contributor, has committed to deploying additional soldiers in the coming weeks, bringing the total of their deployment to some 3,000 personnel.

Other countries have taken political decisions that will soon make their offers of forces a reality on the ground. New and renewed contributions, in accordance with resolutions 1483 (2003) and 1511 (2003) and bilateral agreements, represent the international community's commitment to improving the future of Iraq. We continue to urge the international community to provide additional manpower and resources to further assist the efforts of the multinational force.

I would like now to say a few brief words about the issue of governance. A solid local government system in Iraq is the foundation upon which a democratic national government can be built. Effective local governance encourages citizen participation, fosters dialogue among competing groups, and delivers essential services based on community priorities. With our support, Iraqis have held numerous and well-attended town meetings to discuss Iraq's transition to democracy. The Coalition Provisional Authority continues to support a transparent process of consultations and elections for the Iraqi people to choose representatives who reflect the make-up and character of their communities.

The broad framework of the political process will be underpinned by the work under way within the Iraqi Governing Council to draft a Transitional Administrative Law, the basis for the Iraqi transitional Government until a permanent Constitution is ratified. That important document will define basic tenets for Iraq's transitional Government and fundamental protections for civil, religious and political liberties for every Iraqi.

On 30 December, the Governing Council requested that the Secretary-General dispatch a United Nations team to Iraq to assess the feasibility of direct elections within the 30 June time-frame, and, if not, what alternatives could be recommended.

That request was followed by productive discussions in New York among the representatives of the Governing Council, the Coalition Provisional Authority and the United Nations on 19 January. The Secretary-General subsequently dispatched a fact-finding mission to Iraq. The Coalition Provisional

Authority provided security and other support to ensure their successful visit. The United Nations team has returned from Baghdad, and we welcome their just-issued report providing detailed recommendations on what is required to conduct elections in Iraq. The report made clear that free and fair elections could not be held by 30 June, the date by which all agree that the transfer of sovereignty should take place.

As the Secretary-General notes in his report, resolving the question of the timing of elections provides an opportunity for Iraqis and the Coalition Provisional Authority to engage in a dialogue on the mechanism through which sovereignty will be transferred on 30 June. The mechanism for governing Iraq between the transfer of sovereignty and the national elections remains to be worked out. The Iraqi people, the Governing Council, the Coalition Provisional Authority and the United Nations will work to reach agreement on a transition mechanism that will have the broad-based support of the Iraqi people.

We look forward to further consideration of the team's report and to the continued engagement of the United Nations in the political process ahead.

On the oil-for-food programme, I am pleased to report that, in accordance with resolution 1483 (2003), the programme terminated on 21 November 2003, and that the transition went smoothly.

The United Nations World Food Programme is currently assisting the Coalition Provisional Authority and the Iraqi Ministry of Trade with procurement and logistics assistance necessary to keep the public distribution system supplied with food-basket goods. Shipments of food and other humanitarian supplies are managed by the newly established Coordination Centre, jointly staffed by Iraqi and Coalition officials. The Centre's role is to ensure the steady, secure and managed flow of remaining oil-for-food goods and newly procured goods. The Ministry of Trade will take complete control of procurement on 1 April and will assume full responsibility for all aspects of the programme on 1 July.

On the disarmament of Iraq, the Iraq Survey Group continues its work to search for and eliminate weapons of mass destruction (WMDs), prohibited missile-delivery systems and related infrastructure.

In January, Charles Duelfer, formerly Deputy Executive Chairman of the United Nations Special Commission on Iraq (UNSCOM), assumed leadership of the Survey Group, replacing Mr. David Kay, whose efforts are greatly appreciated. Mr. Kay has reported that the Survey Group had been unable to confirm some pre-war intelligence assessments by the United States and other nations about Iraq's weapons stockpiles. Additional work remains before the question of Iraq's stockpiles can be fully and completely addressed.

Mr. Kay also reported that the Survey Group had discovered clear evidence that Saddam's regime hid ongoing WMD programme activities from UNMOVIC, and concluded that Iraq was in violation of previous Security Council resolutions. It is clear that Saddam Hussein's regime was intent on deceiving, and continued to deceive, the international community. To meet the tasks ahead, the Iraq Survey Group maintains a sizeable number of specialists dedicated to following three disarmament activities: interviewing individuals connected with Iraq's WMD programmes; obtaining and analysing documents, computer hard drives and other materials; and assessing and exploiting potential WMD-related sites.

Some Iraqis clearly are cooperating in this effort. However, fear of reprisal may be inhibiting cooperation by others. Some officials with close ties to Saddam's regime seem determined to avoid cooperating in any way. In addition, document analysis has been obstructed by the methodical destruction of documents and computers, in the immediate post-conflict period, at some Iraqi facilities. The Iraq Survey Group will continue its important work.

For those of us in the international community who are actively involved in Iraq's transition, progress is not always as rapid as we would have hoped. But despite this sober assessment, this is a time of hope for Iraq. Even in the three months since our last update, much has been accomplished, and, despite efforts at sabotage, steady progress is visible. Iraq's neighbours and regional partners have a unique opportunity to play a constructive role in this transition. And all those in the international community with the resources to contribute should come forward to help the Iraqi people.

The President (*spoke in Chinese*): I thank Mr. Negroponte for his comprehensive briefing.

Sir Emyr Jones Parry (United Kingdom): As well as the progress outlined by Ambassador Negroponte, I can confirm that progress is continuing

on the provision of basic services, economic and reconstruction issues and human rights and justice. The Coalition Provisional Authority is engaged with the people of Iraq in a massive effort to revive the country and its institutions. I'm sure it will be a relief to everybody when I say that I am circulating separately a very detailed note reporting on these points. I will now simply set out the headlines of that report.

On water and sanitation, our priorities have continued to focus on infra structural rehabilitation of the existing water and sanitation networks. Much of our work is long-term, addressing the legacy of mismanagement and neglect. For example, three of Baghdad's sewage treatment plants, benefiting 3.2 million people, will this year undergo rehabilitation, finishing in October, which will lead to nearly 800 million litres of waste water per day being treated.

Power generation in Iraq has been continually improving, leading to a new February average of 4,260 megawatts, the highest achieved since the Coalition Provisional Authority began its work in 2003. Essential and necessary long-term repairs and scheduled maintenance are being undertaken throughout the country to build a sustainable power grid. Oil production has increased to 2.3 million barrels per day. The Coalition Provisional Authority has continued also to rehabilitate critical road and rail infrastructure. Key bridges are being rebuilt, allowing for the critical flow of fuel and agricultural products throughout Iraq. In recent weeks, three key bridges were repaired or reopened to traffic.

Turning to health care, the Coalition continues to look to the long term, supporting a reformed Ministry of Health capable of delivering essential health services throughout Iraq. Work is currently under way between the Iraqi Ministry of Health, the Coalition Provisional Authority and the World Health Organization to develop a complete overview of drugs, supplies and equipment. This is expected to be completed by March. Salaries in the health sector, which is a key indicator, have also increased, with doctors' salaries having risen from $3 — I repeat, from $3 — a month to $350 per month.

On education, the Authority's objectives have focused on increasing enrolment and improving the quality of primary and secondary education. During the February school holidays, almost 33,000 Iraqi teachers will undergo a period of training designed to lead to an improvement in the provision of primary and secondary education throughout Iraq.

Turning to economic issues, a key focus for the Authority has been to establish a sound economic framework and a transparent public expenditure system. Iraqi financial institutions have continued to grow and have begun the process of reintegration into the international community. We have witnessed progress on interest rate liberalization; the provision of banking licenses to foster a modern and efficient financial sector; commitments to reduce Iraqi debt; and approximately $650 million transferred to the Development Fund for Iraq from Iraqi assets stolen by the former regime and previously held overseas. On 11 February, all 146 members of the General Council of the World Trade Organization welcomed and accepted Iraq's request to become an observer. The Central Bank law has also now been enacted, granting the Central Bank full independence. Its mandate will be to pursue price stability and to supervise the banking system. The balance for the Development Fund for Iraq, as of 12 February, was $8.8 billion. Between October 2003 and January 2004, the Iraqi budget benefited from an additional $1.8 billion. Greater oil revenues than expected have produced that. To date, the total disbursements from the Development Fund amount to $3.2 billion, details of which can be found on the Coalition Provisional Authority web site (www.cpa-iraq.org).

On 7 February, the International Advisory and Monitoring Board and the Authority agreed on the statement of work for the independent public accountant who will audit the sale and export of oil from Iraq. And the Development Fund, as required by resolution 1483 (2003) will carry that out. The Authority's nomination for the auditing contract will be submitted to the Board for approval by 27 February.

Let me now turn to a top priority for the Authority, which is to create new jobs. Unemployment levels remain too high, but under-employment is a key challenge too. We are prioritizing and accelerating work on projects that can produce employment opportunities and visible economic benefits for the largest number of Iraqis possible. The national employment programme and the additional employment programme in the northern governorates have so far created close to 110,000 jobs out of a target of 155,000 new public work jobs. The Ministry of Finance also plans to invest $125 million during 2004 to create an additional 125,000 jobs.

In coordination with the Coalition Provisional Authority, the Iraqi Ministry of Justice has developed strategies and activities to ensure the establishment or reconstruction of basic Iraqi criminal justice facilities. The Authority has continued to support efforts to strengthen civil society and human rights education throughout Iraq. The new Iraqi Ministry of Human Rights will also play an important role in shaping human rights developments throughout the country. We look forward to the United Nations engaging this focal point. The judicial review committee in Iraq has completed its review of every judge and prosecutor, checked their membership in the Baath party, their complicity in human rights violations or corruption, to ensure that the Iraqi justice system is now run by people of integrity. The overall dismissal rate is about 25 per cent.

A key issue is the role of women, where the Authority continues to actively encourage the participation of women in all phases, and at all levels in the reconstruction of Iraq, in accordance with Security Council resolution 1325 (2000). It is worth highlighting that Iraqi women will be travelling to New York for discussions to be held by the Commission on the Status of Women, which takes place next month.

Turning to my conclusion, as Ambassador Negroponte has already stated, much has been achieved. Iraqis now have a wide variety of freedoms never afforded to them by the previous regime. With the gradual rebuilding of Iraq's economy and infrastructure, they have the opportunity, at last, for a better future. Iraqis are also gaining the right to control their own lives and their nation's destiny. The transfer of authority to a sovereign Iraqi Government on 30 June 2004 will be a defining moment. At the same time, the scale of the tasks still faced in rebuilding Iraq remains massive. Attacks continue to be perpetrated against the Iraqi people by former regime loyalists and foreign extremists who are bent on denying the Iraqi people control of their own political future. Decades of oppression will not be undone overnight. But already, the efforts we have undertaken in partnership with Iraq's creative and talented people are making a real difference.

As I said in our previous briefing to the Council on 21 November 2003, to succeed, the people of Iraq and its institutions will need the sustained commitment of the international community. We very much welcome the support so many nations have given and are giving to Iraq's reconstruction and security, as well as the contribution being made by the United Nations and its agencies. We also very much value the contribution that the United Nations is now making to the political process, most recently through the report of the United Nations fact-finding mission led by Lakhdar Brahimi. We welcome the United Nations offer to help with consensus-building as well as with the preparations for subsequent elections. We want to see a strong and growing United Nations role.

Iraq is making progress towards the goal of a democratic Iraq governed by the people and for the people of Iraq, a goal that likely seemed impossible to the vast majority of those living under the former regime. The United Nations and its Members can and should continue to help the Iraqi people along that journey. We hope that the coming weeks and months will bring continued and enhanced United Nations engagement and continued work to ensure the successful transfer of authority on 30 June to a fully sovereign Iraqi Government. The coming weeks and months will also bring the further intensification of international efforts to assist the Iraqi people.

The President *(spoke in Chinese)*: I thank His Excellency, Sir Emyr Jones Parry, Ambassador of the United Kingdom, for his comprehensive briefing. As there is no list of speakers, I invite those Council members who wish to take the floor to so indicate to the Secretariat as from now.

I now open the floor to the members of the Council and give the floor to the representative of Algeria.

Mr. Baali (Algeria) *(spoke in French)*: My delegation listened very attentively and with a great deal of interest to the report on the situation in Iraq submitted under Security Council resolution 1483 (2003) by the Ambassadors of the United States and the United Kingdom, who represent the Coalition Provisional Authority. Their briefings, for which we thank them, help us to better understand what is happening in Iraq and to assess the magnitude and complexity of the challenges confronting the Iraqi people, a people traumatized by three decades of an autocratic and brutal regime, three devastating wars and a decade of inhumane sanctions, and who are living today under foreign occupation.

As the Security Council meets for the first time in a public meeting since the end of the oil-for-food programme, a programme which alleviated somewhat

the cruel effects of the sanctions, my delegation would like to know more about the daily lives of the Iraqi people. Exactly what is the situation from an economic and social standpoint, since the end of hostilities? Is it possible to have a more detailed description of its foreign trade and, in particular, the exploitation of its natural resources and the revenues that generates?

In this regard, the International Advisory and Monitoring Board of the Development Fund for Iraq has an important role to play, but does not seem fully to have begun to play that role. In addition to the information given to us by Ambassador Sir Emyr Jones Parry, could the Secretariat give us some information on the reasons why the International Advisory and Monitoring Board is not operating normally?

The information reaching us today from Iraq regarding the economic and social situation is very grim, and the report of the Secretary-General of 23 February 2004 (S/2004/140) confirms that. Many Iraqis today are living in particularly disturbing and precarious conditions of poverty. While progress has been made in certain areas since the end of hostilities, in other areas progress is taking longer to materialize. The disturbing economic and social situation is compounded by a phenomenon which is all the more worrisome, so gravely does it jeopardize any chance of recovery in Iraq: violence. Each day, extremely fierce attacks occur, particularly in Central Iraq, and the civilian population, especially women and children are the primary victims.

These odious acts must not only be firmly condemned by the entire international community, but everything possible must be undertaken, and this is the responsibility of the occupying Power under the Fourth Geneva Convention, to better ensure the protection of the populations. The sooner the Iraqi people recovers its full sovereignty, and decides freely on its destiny, the sooner it will regain peace, stability and the road to progress.

In this regard, Algeria reiterates its appeal for an end to the occupation and the recovery by the Iraqi people, as soon as possible, of its sovereignty, its independence and its control over its destiny. The date of 30 June 2004 must therefore be respected by all parties concerned, including the Coalition Provisional Authority, which must work concretely so that the hand-over of sovereignty can take place on that scheduled date.

Developments in recent weeks in Iraq and the request made jointly to the United Nations by the Iraqi Governing Council and the Coalition Provisional Authority to dispatch a mission on the feasibility of elections in Iraq broadly show that the role of the United Nations in Iraq today is vital. The Organization's return to that country in order to help the Iraqi people obtain democratic and representative national institutions and to rebuild the country ravaged by war is therefore not only necessary, but must occur as soon as security conditions allow and as soon as the United Nations mandate is clearly defined.

While awaiting that return, the United Nations should be able to provide its assistance in due course within the framework of the mandate to be defined by the Security Council and in agreement with the legitimate representatives of the Iraqi people.

As the Secretary-General recommends in his report (S/2004/140), and because it is the wish of the Iraqi people, the United Nations, as an independent and impartial institution that has the confidence of all political stakeholders in Iraq, should, in the current phase, be able to provide assistance to these stakeholders. This assistance will enable them to reach an understanding on the competence, the structure and the composition of the transitional body that must temporarily lead Iraq, as well as on the process through which that body will be established. In this way — and this is essential — the United Nations will have contributed to the establishment of a representative and credible government body with which the entire Iraqi people can identify, to enabling a transfer of sovereignty to that organ that is as orderly and smooth as possible, and to ensuring that the date of that transfer — 30 June — is maintained, in accordance with the wishes of all Iraqis.

As of now, the United Nations, with its vast experience in electoral assistance and with the confidence of the different Iraqi stakeholders, should make its experience and its expertise available to the Iraqi people in order to establish a legal electoral framework, as well as the various aspects of the electoral process. In this way, the direct elections that all parties in Iraq consider an essential step for the building of democracy can take place at the end of this year or, at the latest, at the beginning of next year. Everything must be done in this regard so that the electoral timetable is strictly observed and so that the Iraqi people may directly elect the men and women

who will build the future of Iraq and who will guide it, we hope, into freedom, democracy and progress.

Algeria takes note of the Secretary-General's recommendations, contained in his report of 23 February (S/2004/140), which deserve the support of our Council and of the entire international community.

Lastly, Algeria would like to reiterate its support for the Secretary-General for his actions in Iraq and express its appreciation to Mr. Brahimi for the new dynamics that he has been able to create and for the independence and impartiality that the United Nations has displayed in this situation, which is in every regard fraught with risks.

Mr. Adechi (Benin) (*spoke in French*): Allow me to thank Ambassador Jones Parry and Ambassador Negroponte for their extremely useful briefings to us on developments in Iraq. We also welcome the practical approach taken by the Secretary-General in terms of the United Nations role in the normalization process in Iraq. We welcome in particular the sending of a fact-finding mission to clarify the issue of holding elections. The results of the Brahimi mission reaffirm our idea of a rational management of the normalization process in the post-conflict period and of the formulas that should be applied to ensure a democratic transition in Iraq.

As we stated during the discussions on post-conflict national reconciliation, holding post-conflict elections is often problematic. This is even more true when there are no political parties to lead the political process or when a consensus on the societal structure to be established has not yet been reached. For Iraq, we need, however, to establish a structure that is as inclusive as possible and that leads to a normalization of the situation. In this connection, we believe that the approach proposed by the Secretary-General is extremely rational and should help to forge a consensus.

Meeting the 30 June 2004 date set for the transfer of sovereignty to the Iraqi people is also essential. To do this, it is indispensable that a representative Government be established, as proposed by the Secretary-General, before the end of June 2004. It is also important that a United Nations mission be created as soon as possible to support this process and to help to draft the fundamental texts, as well as to establish a legal framework for holding elections on the agreed date.

The formula to be used in establishing a representative transition Government can only come from the Iraqi people themselves. Whether this is in the form of a national conference, a round-table discussion or any other format, a number of principles do need to be taken into account and complied with. In particular, we need to identify a process for forging a societal consensus, to define the rules of conduct for the transition period and to elect the person able to lead this transition. This mechanism can only be flexible if all of the institutions in Iraq are established with a view to managing this transition period.

Frequently, in the management of a transition period, it so happens that the person appointed to manage this period cannot run for office or head up the institutions in question after the transitional period. Such a candidacy often creates tension, since the political class may find that this person occupies a privileged place with respect to other potential competitors. This is true unless, of course, the parties can maintain a consensus to the end around that person.

Promoting human rights is also a key element in ensuring the completion of the normalization process. As such, the prevailing situation of insecurity, and particularly the news of a surge in crime and retributions, is particularly disturbing. The discussion initiated between the United Nations, the different components of Iraqi society and the Coalition Provisional Authority do give us hope.

The deteriorating security situation could, however, undermine the normalization and restoration process. In particular, the fact that the Iraqi security forces — which are in the process of being reorganized — too frequently seem not to enjoy the protection of the Coalition Provisional Authority forces could pose a number of problems. This kind of situation, if it does continue, may undermine the morale of the Iraqi forces and, in the end, slow the restoration of order and the rule of law that is necessary for the establishment of democracy.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): We are grateful to Ambassadors Negroponte and Jones Parry for their briefings and for the text that has been circulated.

With reference to the Iraqi situation, let me underscore at the outset that it is in the interests of all parties to achieve a rapid and lasting settlement that ensures implementation of the tasks that have been set out by the Security Council, namely, the need to quickly restore Iraqi sovereignty and to ensure the

rights of the Iraqi people to manage their own political future and to be the master of their own natural resources. That is the main goal to which we all aspire, and we all want to assist as much as we can in achieving it. That is also the focus of the efforts of the Iraqis themselves and of the international community, as well as the purpose of the latest steps that have been and are being taken by the United Nations.

We welcome the recent fact-finding mission sent to Iraq at the request of the Iraqi Governing Council, led by Mr. Brahimi. The developments with respect to this mission, its work in Iraq and its report have compellingly demonstrated to us — although there was never any doubt of this — that without the United Nations it is difficult to envisage achieving a lasting settlement or to anticipate agreeing on any political process that would be both viable and acceptable to all Iraqis.

We welcome the fact that involving the United Nations and the mission led by Mr. Brahimi have led to a broadening of participation of the Iraqi political process. Contacts have been made with a wide range of Iraqi political forces, including ones not represented in the provisional Governing Council.

We are studying the report of the Brahimi mission. Our initial assessment has been positive; clearly, this is a first attempt at a comprehensive, independent, in-depth analysis of the situation in Iraq that seeks to encompass the shifting forces involved. It sets out important conclusions on the breakdown of political forces in Iraq and on existing risks and threats in Iraq, which have their roots in the distant past. Clearly, we must take account of these timely recommendations and analyses as we identify the best approaches to attaining a lasting post-war settlement.

On the report's recommendations, clearly we look forward above all to the reactions of the Iraqis themselves. Here, we fully support the position of the Secretary-General and of Mr. Brahimi that only the Iraqis can truly define specific ways to pursue the political process. This includes agreement on a mechanism by which to restore Iraq's sovereignty and on the means to put it into effect. This restored sovereignty would lead to the holding of general elections.

We would be prepared to consider any communications from the Iraqis addressed to the Security Council, but I must stress that, as the report notes, the matter is urgent: the Secretary-General and Lakhdar Brahimi both underscore the fact that if the elections that the Iraqi people want so badly are to be held by late 2004 or early 2005, it is time to prepare for them now. But we await the response of the Iraqis themselves.

We consider the Secretary-General's approach to be correct: that the United Nations and the international community at large can assist the Iraqis to reach consensus, but certainly cannot impose anything upon them. We agree also the Secretary-General's view of the overall role of the United Nations in the process, in particular with respect to the Organization's readiness to assist, given the necessary conditions. These broadly relate to security issues. Mindful of the increasing violence in Iraq, we shall rely completely on the Secretary-General with respect to when and in what form the United Nations will become directly involved within Iraq in the various processes. This is important also because United Nations staff are most likely to be working in cities, where the violence continues to escalate.

Let me note that the Iraqis will now be discussing what specific mechanism they can accept with a view to restoring their sovereignty. Clearly, that will be a provisional mechanism, which will most likely possess limited authority. As we consider various options, it would be useful for us to continue to bear in mind the convening at some point of an international conference on Iraq with the participation of Iraqis and Iraq's neighbours — whose views on the precise shape of a settlement must be taken into full account.

Let me reaffirm in conclusion that we consider it important that resolution 1483 (2003) be fully implemented. We take note of Ambassador Negroponte's information on the Coalition's efforts to find traces of Iraqi programmes to develop weapons of mass destruction. It is our position that the mandates of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and of the International Atomic Energy Agency (IAEA) in Iraq remain on the Council's agenda. The sooner we can return to them, the more useful it would be for resolving this issue.

We look forward to receiving information about those missing in action from the first Gulf war. This is a humanitarian issue, and we are aware that the Coalition is involved in a wide range of such issues and

matters related to violations of human rights, humanitarian law and other rights in Iraq — as mentioned in the material circulated by Ambassador Jones Parry. We understand the scope of the problem, but we must not forget that several hundred Kuwaiti and other nationals whose fate still requires clarification.

For the present, I shall limit my statement to what I have just said.

Mr. Sardenberg (Brazil): I take pleasure in thanking Ambassador Negroponte and Ambassador Jones Parry for the valuable information they have shared with us on the situation in Iraq, in compliance with provisions of resolution 1483 (2003). It is our view that a new diplomatic reality is reflected in the report transmitted by the Secretary-General after the return of the complex mission sent to Iraq (S/2004/140). The report shows United Nations as re-setting its a presence in the country.

This is certainly not the moment to comment on the report as a whole; my delegation looks forward to such an opportunity. But I wish briefly to address a few points relating both to the report and to the information we have just received: in connection with firm consensus on the transfer of sovereignty to Iraq by 30 June. A more immediate issue, however, arises from the assessment made by Mr. Brahimi's team: defining a process for constituting a transitional Government of Iraq that could provisionally take over the administration of the country as conditions are established for the holding of fair and credible elections as soon as possible.

We agree that such a process has to be defined by the Iraqis themselves, and that the United Nations should strongly contribute to such an effort with its expert knowledge. We think also that this will lead to putting this issue of the mandate and role of the United Nations on our agenda once again, as the Iraqi situation has already substantially changed since resolution 1511 (2003) was adopted by the Council, and will continue do so.

Besides that question, which will certainly require specific consultations, other areas regarding the Iraqi issue need updating. For instance, it would be appropriate to have a better picture of the preparation of the Fundamental Law of Iraq that is to be adopted before the end of this month. Another example is the need for more information on the activities — or lack thereof — of the International Advisory and Monitoring Board created by resolution 1483 (2003) to oversee the expenditure of the resources transferred to the Development Fund for Iraq.

In conclusion, recent developments are a clear demonstration that the relevance of the United Nations to the question of Iraq goes significantly beyond offering assessments and institutional solutions to rather unconventional situations or providing technical and humanitarian assistance, however important they are. The fact is that the mission sent to Iraq, originally intended as a technical assessment mission on the feasibility of holding elections by the end of June, acquired a dominant political relevance, as indicated by the designation of Mr. Brahimi to lead it, by the consultations in the Group of Friends of Iraq the other day, and by the Secretary-General's report.

Mr. Maquieira (Chile) (*spoke in Spanish*): I wish thank the Permanent Representatives of the United States and the United Kingdom for the information they have provided, in accordance with paragraph 24 of resolution 1483 (2003).

Chile valued the agreement reached between the Governing Council and the Coalition Provisional Authority last 15 November. Among other things, it envisages a timetable that essentially establishes a process for returning sovereignty to the Iraqi people. That objective, which is of great importance, has always been part of the will of the members of the Security Council, and that is reflected in its resolutions on the subject.

The future handover of sovereignty, which is scheduled for 30 June, has the consensus of the Iraqi people, according to the report of the technical team that recently visited the country, and also the agreement of the Coalition authorities, as they expressed in connection with maintaining the date envisaged. That handover of sovereignty involves major challenges for the various parties involved. It is the beginning of a political process that should lead to the establishment of a democratically elected Government, one that fulfils the minimum requirements of credibility and transparency and has the support of all the political, religious and civil society forces in Iraq.

In order to ensure the legitimacy of that process, there must be, inter alia, an electoral law, electoral registers, an appeals mechanism and appropriate levels of security. According to the background information

in the report of the fact-finding team, at least eight months of preparation will be needed to conduct an electoral process that meets United Nations standards of legality and transparency. We therefore agree that it is not feasible to set up elections before the date established for the transfer of sovereignty to the Iraqi people. This situation gives rise to major challenges that must be met in the short and medium terms, for example, the establishment of a mechanism to regulate the transfer of sovereignty, the body that will exercise that sovereignty, and the preparation of the electoral process, within the most feasible timetable.

We support the will expressed by the Secretary-General to the effect that this Organization can contribute to the creation of consensuses among the Iraqi people which make it possible to form a transition Government to lead the country toward adoption of a new political constitution and the election of a representative Government. The United Nations can also play an important role in technical assistance in the future elections. That will contribute to realizing the intentions of the international community, represented by this Council, for the reconstruction and democratization of Iraq. That should contribute to expanding the consensus and the unity of will that governs the work of the Council and the Secretary-General in this regard.

We are extremely concerned at the security situation in Iraq, because, inter alia, it determines freedom of movement and of action by the United Nations and its personnel in the work of contributing to the political transition.

Lastly, perhaps we could request some additional information on progress with regard to the fundamental law, which, in accordance with the 15 November schedule, is soon to be promulgated.

Mr. Pleuger (Germany): I would like to thank Ambassador Negroponte and Ambassador Jones Parry for the update on the implementation of Security Council resolution 1483 (2003).

As regards the political development, we welcome the most thorough evaluation and findings of the United Nations fact-finding mission led by the Secretary-General's Special Adviser, Mr. Lakhdar Brahimi.

Mr. Brahimi's report, endorsed by the Secretary-General, is indeed an impressive political analysis, one characterized by a completely independent and neutral approach and with the sole objective of helping the Iraqi people. We believe that report reflects very well the current political realities in Iraq.

Let me simply say that Germany fully concurs with both the findings of the fact-finding mission and its recommendations. We also share the team's view that only consensus-building among all relevant Iraqi groups, inside and outside the Governing Council, offers a real chance to overcome the present impasse in the political process in Iraq. We continue to believe that only the United Nations can credibly facilitate a lasting consensus among the Iraqis.

Germany also subscribes to the "ceterum censeo" of the Secretary-General, that "a precondition for the United Nations to succeed in Iraq is the clear and unambiguous support of a united Security Council and the establishment of a secure environment" (*S/2004/140, p. 1*). For her part, Germany is prepared at any time, upon request of the Secretary-General, to give to the United Nations in the Security Council all the support the Secretary-General needs for his difficult task ahead.

With regard to establishing a secure environment, however, that will remain the responsibility of the Coalition Provisional Authority (CPA), in cooperation with the evolving Iraqi security structures, until sovereignty has been transferred to the Iraqis.

Consensus has been achieved regarding a possible time frame for elections until the end of 2004 or early 2005, for the transfer of sovereignty on 30 June and with regard to a transitional mechanism for the interim period, and the analysis of the fact-finding team has very convincingly shown that those are only the first steps, to be followed by necessary consensus on other very important substantive issues still pending. All of those pending issues, in particular the elaboration of a fundamental law — or, as it is called now, a transitional administrative law — and the conclusion of agreements on the status of Coalition forces after the transfer of sovereignty, are part of the 15 November Agreement concluded by the CPA and the Governing Council. They are all subject to specific deadlines prior to the transfer of sovereignty and to the establishment of a provisional Government.

In the light of the Brahimi report, I would like ask the two Ambassadors whether the CPA still pursues the conclusion of bilateral security agreements in

accordance with the November Agreement between the CPA and the Governing Council.

Secondly, as we heard from Ambassador Negroponte, the CPA and the Governing Council still pursue the elaboration of the transitional administration law, or at least parts of it. I would like to know which parts have been dropped from the original idea regarding drafting a fundamental law. Also, with regard to the procedural aspects, I would like to know which deadlines, if any, are to be applied in this context. Are Iraqi groups outside the Governing Council included in the negotiation process on the transitional administrative law? And will the CPA and the Governing Council seek the assistance of the United Nations as a facilitator for those issues as well?

As we see it, the key question right now is how to get from here to 30 June and find a way to establish a transitional mechanism. In his report (S/2004/140), Mr. Brahimi has said that the United Nations is willing to help build a consensus in that regard. But he has also said that options can come only from the Iraqis themselves, through dialogue and consensus-building. Consequently, the Brahimi report, in recommendation 8, calls on all Iraqis, inside and outside the Governing Council, and on the CPA to engage in a more focused dialogue on the mechanism to which authority and sovereignty will be transferred on 30 June 2004.

As Mr. Brahimi has clearly stated that he is not going to make proposals on how this is going to be done and that this has to come from the Iraqi themselves, my question is, does the CPA already have clear ideas on the possible options for the transitional mechanism? And as the electoral process and the caucusing system seem to be excluded at this stage by the Brahimi report, are there ideas on the format and on the time frame for such a dialogue? The next question is, which groups outside the Governing Council does the CPA intend to address to make this negotiation and this consultation as inclusive as possible, and how does the CPA intend to reach out to those other groups outside the Governing Council?

In conclusion, I would like to say once again that, in our view, the political situation in Iraq is at a critical juncture. Many challenges still lie ahead, and the available time is short, especially with a view to preparing democratic elections as envisaged in the Brahimi report. However, we feel that if all parties involved, including the Security Council, get it right now, there is still hope that, with the crucial help of the United Nations in forging consensus among all Iraqis, we can contribute to the development of a stabilized and democratic Iraq at peace with itself and with its neighbours — definitely a result from which the region as a whole would benefit largely.

Mr. De La Sablière (France) (*spoke in French*): I thank Ambassador Negroponte and Ambassador Sir Emyr Jones Parry for the briefings that they have just given the Council in compliance with paragraph 24 of resolution 1483 (2003). I also thank them for circulating their briefings in written form so that we can examine them with the care they deserve.

I, in turn, shall make some comments. Today's meeting comes following Secretary-General's publication of the report (S/2004/140) of the fact-finding mission to Iraq led by his Special Adviser Mr. Lakhdar Brahimi. The report's findings at this stage are encouraging. A consensus seems to be emerging among Iraqis on two essential points.

First, all Iraqis have affirmed their commitment to respecting the date of 30 June for the return of sovereignty, thus confirming their readiness to reassume control of their destiny as soon as possible. France has consistently advocated that position.

Secondly, Iraqis consider that elections are the best way to establish permanent, representative and legitimate institutions and that those elections should be held as soon as possible. But there is also broad agreement on the need to prepare for those elections carefully so that they will be truly free and credible. Thus, the elections issue, which had divided Iraqi society and had threatened to derail the entire political process, now seems to be a point of agreement among Iraqis.

These encouraging early results, in which the mission led by Lakhdar Brahimi played a decisive part, confirm that a robust involvement of the United Nations in the political process will be an essential asset for the success of the political transition in Iraq. Today, there seems to be agreement both in Iraq and within the international community on the usefulness of such robust United Nations involvement. We welcome that fact.

The progress made also demonstrates the success of an approach based on dialogue and consensus-building. That approach is in essence the hallmark of

the United Nations, as shown by the mission led by Sergio Vieira de Mello until the horrendous attack of 19 August 2003. It was followed scrupulously by the United Nations team, to whom we pay tribute. We should continue to rely on that approach to achieve success in the future stages of Iraq's transition and reconstruction.

The task to be accomplished in the coming weeks and months is considerable and complex, as is noted in the report. On the one hand, there are essential issues that need to be addressed, in particular the design of the transitional mechanism which must be in place by 30 June, and the creation of the legal and institutional framework necessary to carry out the electoral process.

Moreover, significant uncertainties have surfaced with respect to other elements of the 15 November Agreement: on the question of security arrangements, which the Iraqis believe fall within the competence of a sovereign Government, even if no one disputes the fact that an international security presence will continue to be necessary beyond the 30 June deadline; and on the Fundamental Law, which some believe should be limited to setting out the general principles of the Iraqi State during the transition period and should not prejudge the decisions to be taken on certain issues crucial for the future sovereign institutions of Iraq.

It is necessary to resolve those issues and clear up those uncertainties in the perspective of 30 June. Even more than the holding of elections, that date represents an essential milestone in the transition since it is to mark the return of Iraqi sovereignty. Of course, Iraq will continue to face enormous challenges. The lack of security will not disappear overnight. Reconstruction will still require sustained efforts. General elections will have to be organized, and a permanent constitution will have to be drafted. Thus, 30 June marks a step, rather than an ending. If we want to prevent the situation after 30 June from resembling the situation before that date, we must ensure that the date marks a genuine break. That leads me to the following observations and questions.

First, the transitional institutions must be accepted by the greatest number. The formula — whatever it is to be — that will be used in their designation and in setting up their structures must be as inclusive as possible, and it must allow for the expression of opinions and for the participation of all segments of the Iraqi population, in addition to those represented today in the Governing Council.

Secondly, the deadline of 30 June should not simply mark, in legal terms, the end of the occupation regime. It must lead to a genuine restoration of Iraqi sovereignty and therefore to a genuine handover of authority and resources to the Iraqis, so that they can administer their own country. That transfer — as provided for in resolution 1511 (2003) and which the Coalition Provisional Authority has begun to implement — must continue. The acceptance by Iraqis of these new institutions will be even greater if the institutions' authority and capacity to manage the country are genuine. However, the most important decisions — those involving Iraq's future — should be deferred to the government resulting from the elections.

Thirdly, the United Nations will most likely be called on to be resolutely involved along with the Iraqis, who want to see a robust involvement by the Organization in all areas. The United Nations is already playing the role of facilitator, something which we fully support. If security conditions permit, the United Nations could tomorrow begin to make available its expertise to the Iraqis, in particular in preparing for and in holding the elections, in drafting a permanent constitution, and, more generally, in promoting the establishment of the rule of law in Iraq and in assisting in the political and economic reconstruction of the country.

As the Secretary-General has repeatedly pointed out, the United Nations will require a clear and specific mandate that would guarantee its independence and take into account its new circumstances.

One might wonder — and this is my last point — whether existing resolutions will provide, at that point, an appropriate framework for the work of the United Nations. Beyond the role of the United Nations, will those resolutions, which were adopted in the context of occupation, still be applicable to managing the situation in a sovereign Iraq? Whatever the results of a legal analysis of existing resolutions may be, a new Security Council resolution could prove necessary to support the restoration of Iraqi sovereignty and to support or define new arrangements.

That question will have to be considered at the appropriate time in a spirit of unity, with the sole aim of contributing to the success of the transition and reconstruction in Iraq and of promoting the mobilization of the international community in the service of the Iraqi people.

Mr. Baja (Philippines): We, too, are grateful to the Permanent Representatives of the United States and of the United Kingdom for their comprehensive and candid briefings this morning.

I would like to speak on only two points: the United Nations role in the political process in Iraq, and international cooperation in the reconstruction of Iraq.

We note with gratification that there is now a consensus that the United Nations should have a robust role in Iraq. In that connection, it is critically important that the political process to restore sovereignty and establish a democratically chosen government in Iraq be fully accepted and supported by the people of Iraq.

As many have stressed within and outside the United Nations, Iraqi ownership of the process must be a foundational principle in this exercise. The legitimacy of the process in the eyes of the Iraqi people will be a key element in ensuring that democracy and stability take root deeply in the country. In our view, now that the United Nations has started to re-engage itself in Iraq, it has become a pivotal player in the country and the body that is in the best position to provide such legitimacy.

The chance and the opportunity to create a legitimate political process and establish stable institutions for that purpose is devolving to the United Nations, which must be able to serve as midwife to the process through 30 June and beyond.

To pave the way for ensuring a central role for the United Nations in Iraq, it is essential to consider, as soon as possible, the following courses of action.

First, a special representative should be appointed as soon as possible to lead the efforts of the United Nations in the design, planning and implementation of a credible process for the establishment of an interim government and for the holding of fair and credible elections to choose a permanent government in Iraq. The special representative may also be able to determine if it is possible to replicate in Iraq some of the successes achieved in the Afghanistan political process.

Secondly, while giving due regard to the Security Council's concerns, the Secretary-General could consider returning United Nations staff and personnel to Iraq at the earliest possible time. A United Nations presence on the ground is important to provide visibility for the actual engagement of the international community in the process. As the United Nations begins in earnest to perform the required tasks in Iraq's nation-building process, let me affirm our full support of the principle that the United Nations must work in the context of an independent identity and purpose to preserve not only the reality but also the perception of its neutrality.

The core issue of the political process to restore sovereignty in Iraq is how to hand over power, and to whom, after 30 June. Given the great divide among the factionalized communities in Iraq, which are manoeuvring for advantage at one another's expense, the United Nations will be called on to nurse the new Government's strength and ability to govern. A weak Iraqi Government — one with limited legitimacy, ineffective institutions and limited control over the country — must be avoided. The new governing structure must be able to deliver security and basic services to the people. That will take courage, resources and improvisation.

Two important issues must be addressed, and the first is security. Even after the Iraqis take over, the Coalition military will remain in de facto control of security until an Iraqi military or civilian force is firmly established. We are grateful for Ambassador Negroponte's update on this force, and perhaps, in this connection, we could ask for more information on the command structure of such a military or civilian force.

The terms of reference of such an arrangement after 30 June will have to be determined, and securing the peace and stability of a united Iraq will also require the support and cooperation of neighbouring States.

The second important issue is the delivery of basic services. We are grateful to Ambassador Jones Parry for his briefing and for the comprehensive paper he has just distributed.

The reconstruction of Iraq will require the participation and cooperation of the international community, particularly the influential countries that initially opposed the war and are still holding back much-needed assistance to place Iraq on the track to peace and stability.

The leading role of the United Nations in this effort will be a critical foundation for a diplomatic consensus among all major players to extend help in the reconstruction of Iraq. To attain unity among the international community, the differences of the past

should be left behind, and no one should be required to concede in terms of national views and positions on the military action in Iraq. Respect for the views of others requires courage in the face of deep-rooted differences, but we have no choice but to move forward to ensure a stable Iraq, a peaceful region and a safer world.

There are many issues that demand our attention. Many of them will have to be discussed and debated later, either in this forum or in other forums that have been established on Iraq.

It is important to maintain a united and unified Iraq. Equally important is to give the Iraqi people a sense of where they are going and when. In this endeavour, we must also protect the gains achieved for Iraq so far, during the past months. And, with a clearly defined mandate, the United Nations can play a constructive and important role towards those ends.

Mr. Arias (Spain) (*spoke in Spanish*): I want to thank the delegations of the United States and the United Kingdom for the valuable information that they have provided to us. We listened attentively to the account of the major efforts they are making in the face of considerable difficulties — areas of shadow — to which Ambassador Negroponte referred, including the atrocious attacks endured by the Iraqi population recently. But it is important that these efforts go on intensely, so that the Iraqis can live in peace and so that they can control their own destiny.

It is sometimes useful to review statements made in the Council to see how the views of members have been followed up. I think that is a valuable exercise and would be useful on this occasion. At several meetings, particularly that held on 21 November 2003, a number of Council members, not necessarily members of the Coalition, spoke of the need to rebuild consensus, both in Iraq and at the regional and international levels. Several members mentioned the elements that could be essential in recovering that consensus. Let me review a few of them.

First of all, it was noted that the political process needs to have broad support from Iraqi society. In the last quarter, there have been many contacts between the Coalition Provisional Authority (CPA) and Governing Council in order to obtain the greatest possible political and societal support for the needed transition process. This led to the Agreement of 15 November, whose basic objective, let us not forget, is to have the Iraqis become, as soon as possible, masters of their own destiny and thus to take a stand on it. Of course, this is not easy; perhaps the best way to understand the work under way in Iraq is to pose some questions. For example, would it have been possible for the Iraqis openly to express their opinions on the electoral process just a few months ago? I do not think there is any need for me to answer that question. In today's Iraq the people enjoy freedom of expression, which had been impossible for decades, and the Iraqi people can state their preferences on a political model. There is no better way than that to recover sovereignty.

The second point is the appropriateness of involving all the States of the region in the process. It is obviously necessary for Iraq, as soon as possible, to recover full normalcy in its relationships with neighbouring countries. The November 2003 Damascus meeting was a fundamental step, and the February 2004 Kuwait meeting was attended by an Iraqi delegation. Here in the United Nations, we particularly welcomed the establishment of the so-called core group and of the Group of Friends, since these are an appropriate channel for participation by neighbouring countries. But it is also important that Iraq participate in such meetings. It would not make much sense to recognize that it is necessary for Iraq to be integrated in the region, but at the same time to initiate a process behind its back.

The third point mentioned is that the United Nations must play a vital role. Of course, I share that view, and it is also reflected in resolutions of the Security Council. My Government firmly supported the sending of a mission to Iraq. We have now received its report (S/2004/140), which contains important recommendations and conclusions. For example, it recognizes — and this is important — that it will be impossible to have credible direct elections before 30 June and that it will be necessary to establish a provisional Government before that date through some mechanism other than direct elections.

In my view, there are two main issues regarding this process. The first is that the date of 30 June should be maintained; given the consensus among Iraqis on the handover of sovereignty. The second very important point is that the Iraqis must feel themselves to be masters of their own process. A majority of the people in Iraq want direct elections. That is why we completely agree with the report's recommendation that an autonomous and independent Iraqi electoral commission should be established without further delay to start preparing the process.

Lastly, it was mentioned that it is vital that the provisional Government to be established be able fully to exercise Iraqi sovereignty. The day-to-day responsibilities of the Government of Iraq are carried out by Iraqis, and Ministries are headed by Iraqis. We completely support the process of Iraqization which is under way; it must enable the provisional Government to be established by 30 June to carry out its responsibilities completely.

In summary, it is our hope that on 1 July the Iraqi administration will be completely prepared and able to confront the major responsibilities that lie ahead. No effort must be spared to make that occur.

Mr. Motoc (Romania): I too wish to thank the representatives of the United States and the United Kingdom for the very substantial briefings we heard this morning.

On security, we know that recent attacks against Iraqi police and security forces, as well as against political constituencies, show that destructive elements are at work against the efforts to rebuild a stable, democratic and peaceful Iraq. These actions should not discourage the dynamics of the internal political dialogue towards the establishment of Iraqi interim institutions of governance. The security situation should be addressed as a priority issue to prevent further terrorist attacks and to avoid any form of internal friction or tension.

On the political transition, the 15 November Agreement sets out sequences for the evolution of the political transition in Iraq, including a clear date for the restoration of Iraq's sovereignty. The United Nations fact-finding mission presented in detailed manner the challenges and ways ahead for a successful political transition that is owned by the Iraqis. Beyond some unresolved questions about the structure of a sovereign Iraqi transitional administration, the mission indicated unanimity among all Iraqi political constituencies to keep the 30 June deadline for handover, in their determination to continue dialogue and consensus-building.

We believe the current situation can be effectively addressed through a genuine partnership of the United Nations with the Iraqis, the Coalition Provisional Authority (CPA) and Iraq's neighbours. The unity and solidarity of the international community — indeed, of the Security Council — are of the utmost importance in helping Iraqis to reach consensus soon on the mechanisms for establishing an interim Government. International support is also very important for improving the internal security environment which is, in turn, a prerequisite for the conduct of free and fair elections in Iraq and for ensuring the legitimacy of the process.

The United Nations should resume its presence in Iraq as soon as possible in order to also facilitate the current dialogue and forge political consensus. The United Nations has the expertise and capacity to assist Iraq in developing the legal and institutional framework for holding elections at an early stage.

As for basic services and economic reconstruction, we are pleased to hear that progress continues to be made in many areas throughout Iraq, in particular with regard to infrastructure, rehabilitation and the restoration of essential services. We especially welcome the overall efforts to establish a sound economic framework and the process of reintegrating the Iraqi banking and financial institutions into the international circuit. The granting of World Trade Organization observer status to Iraq on 11 February 2004 was a positive step in that regard. Establishment of sound Iraqi institutions is of urgent and utmost importance and will foster new job opportunities, thus reducing the current level of unemployment.

Focusing on the restoration of law and order is of utmost importance in creating a fully functioning judicial system. Equally important is the development of a strong civil society as the foundation for setting up representative and democratic institutions in Iraq. We commend the CPA efforts in that regard.

Romania remains committed to contributing towards upholding stability and security in Iraq and continues to be part of the efforts aimed at making the day-to-day life of the Iraqi people more secure. The Romanian Prime Minister, Adrian Nastase is currently visiting Iraq. Romania has offered to share the lessons it has learned during its own often challenging transition with the evolving institutions of Iraq in such areas as the building of democratic institutions and a market-based economy, the establishment of the rule of law, and the protection of human rights and fundamental freedoms. Romania pledges the same commitment to efforts towards rebuilding the Iraqi economy and looks forward to joining collective efforts through this vital transitional period and beyond.

Mr. Gaspar Martins (Angola): We are very grateful to the permanent representatives of the United

States and the United Kingdom, Ambassadors John Negroponte and Emyr Jones Parry, for their valuable and substantial presentations to the Council this morning on the efforts of the Coalition Provisional Authority (CPA) to move forward with the political and reconstruction process of Iraq.

We are also grateful to the Secretary-General for his report on the fact-finding mission led by Lakhdar Brahimi which represents a major contribution to the understanding of the situation prevailing in Iraq and the narrow options that the country is facing.

My delegation takes note of the progress achieved so far, in building Iraq's institutional, physical and political infrastructure, as pointed out this morning by the two ambassadors.

During the year 2003, Iraq, once again, became the most worrisome issue on the Security Council's agenda. This year, Iraq's people, the occupying Powers, the United Nations and the international community find themselves at a dramatic crossroads, with a nebulous, dangerous way forward and few options towards the future. The security situation remains a cause of extraordinary concern since it is, as observed earlier today and as we have all seen, still very dangerous. Once again a collective and concerted effort by the international community is needed to face this dangerous situation.

Restoration to Iraq of its national sovereignty, on 30 June 2004, must take place within a dramatically improved security situation if it is to mark a real departure from the past and the beginning of a new phase. In our view, and as stated at various points in the report of the Secretary-General (S/2004/140), without a steady improvement in the security situation, it will be very difficult, if not totally impossible, to hold just, free and fair elections.

We view with great concern the growing fragmentation of the Iraqi political class and the polarization of inter-communal politics — in other words, the irredentism — which is the source of evil deeds. Elections should by no means contribute to legitimize such realities. Instead, we need to see the building of a truly national consensus, the building of trust and the building of cooperation.

Iraq is at a very dangerous crossroads in its history. The Security Council also finds itself at a crossroads with few options. The report of the Secretary-General is a wake-up call and a realistic reminder of the narrow road that the Iraqi people and the international community must pursue towards the future.

We are pleased that, finally, the United Nations can play the vital role which the international community so insistently demanded. I am pleased that Iraqis have also welcomed the active participation of the United Nations in the search for just solutions in which the ownership of the process by Iraqis must become a reality.

We have taken note of the recommendations contained in the Secretary-General's fact-finding report (S/2004/140), particularly regarding the deadline of 30 June 2004 for the transfer of sovereignty to the provisional Government — a representative Iraqi Government.

As the Secretary-General has so often reminded us, we need to maintain a consensus within our Council, as that is the best way to translate our support to the Iraqi people, and maintain the support of all the stakeholders in Iraq, in order to find a solution to the very difficult situation we are facing. I am confident that we will be able to move in that direction.

Mr. Khalid (Pakistan): We wish to thank Ambassadors Negroponte and Jones Parry for their comprehensive briefing on behalf of the Coalition Provisional Authority (CPA) and the efforts being made by the CPA to restore normalcy to Iraq.

Yesterday we received the report of the Secretary-General on his fact-finding mission to Iraq (S/2004/140). We are gratified to know that the mission was able to meet a broad spectrum of Iraqis representing many particular affiliations and leanings. While we are still considering the report in our capital, we have noted the emphasis in the report on the ownership of various processes by the Iraqis themselves, and we are encouraged by the willingness of the United Nations to provide mediation assistance in consensus-building during the immediate phase and the more substantive engagement following the transition of authority in Iraq. We hope that, with the help of the United Nations, a consensus would emerge on the best way forward towards restoring Iraq's sovereignty and bringing stable security conditions to Iraq.

Pakistan has always maintained that the United Nations has a central role to play in Iraq in the

restoration of peace and security and in economic reconstruction and rehabilitation. We share the Secretary-General's view that, in order to retain its credibility, the United Nations must keep its clear and separate identity as an impartial and independent world body.

We also share the Secretary-General's emphasis on the improvement of the security situation in Iraq in order for the United Nations to fulfil its mandated obligations. The issue of security continues to neutralize the normalization process in the country. It is important to ask how the question of security will be addressed in the process of political transition. This challenge now confronts the international community and must be addressed.

It is our hope that, in the days ahead, appropriate structures will be developed for the United Nations involvement in Iraq. We also welcome the recent meeting of Iraq's neighbours in Kuwait. The role of Arab States and other Islamic countries will be crucial in helping to promote peace and stability in Iraq. For our part, Pakistan will remain committed to providing all necessary assistance to the United Nations and the Iraqi people in their endeavours to restore stability.

We have noted in the Coalition Provisional Authority's briefing that transitional law is near completion. We hope that during the completion phase, the observations and views of Iraqis contained in the fact-finding mission report will be kept in mind. The transitional law must not underestimate the historical, cultural and religious make-up of Iraq and should be owned and supported by all Iraqi groups.

Finally, we condemn the ongoing pattern of attacks on unarmed and innocent Iraqi men, women and children, who have become victims of senseless violence in Iraq.

The President (*spoke in Chinese*): I shall now make a statement in my capacity as the representative of China.

The Chinese delegation would like to thank the Ambassadors of the United States and the United Kingdom for their briefings on behalf of the Coalition Provisional Authority. We welcome the United Nations team going to Iraq and carrying out a fact-finding mission and we welcome the detailed report they have submitted. We highly appreciate the efforts made by Mr. Brahimi and his team.

China sincerely hopes that Iraq can smoothly restore its sovereignty and independence and realize as soon as possible peace, democracy and development. Currently, the Iraqi situation has entered a new and crucial stage. The political process is both dynamic and faced with challenges.

We support the United Nations continuing to play an important role. We take note of the recommendations submitted to us in the report of the team. At the same time, we hope that a general consensus can be forged as soon as possible among all Iraqis on the questions such as transitional mechanisms and electoral arrangements. The international community should maintain its unity in a joint endeavour to create conditions conducive to all these efforts.

I originally intended to raise a number of questions. However, in view of the fact that the questions raised by other members of the Council are more or less similar to what I intended to raise, I will not repeat all those questions.

I now resume my function as President of the Council.

I now give the floor to Ambassador Jones Parry to respond to comments and questions.

Sir Emyr Jones Parry (United Kingdom): Our thanks to colleagues for the way they have received our comments and for the questions they have posed. Upon reflection, I think that a number of answers to the questions will be found in the text that we have circulated. I will, however, provide some quick comments on some of the points.

As far as the International Advisory and Monitoring Board is concerned, I said in my initial statement that an agreement was reached with the Coalition Provisional Authority on 7 February on future work, which should now lead to quite a lot of early progress.

Regarding the development fund, that is fully covered in the annex and on the Coalition Provisional Authority web site. I therefore recommend the web site to those who want to go into any detail on that issue.

As for the points raised on the security agreements, I believe it is fair to say that, as things stand at the moment, Security Council resolution 1511 (2003) provides complete clarity.

The transitional administrative law and its negotiation are really the responsibility of the Iraqi Governing Council. The text is under detailed consideration and a lot of work is taking place. The expectation is that the negotiations will produce an outcome in the near future.

Another point raised referred to whether the United Nations can facilitate that process, or indeed facilitate anything else. To the extent that it is able to do so, I think we would welcome very much the United Nations role where it can bring an added value to the process.

In terms of whether we have ideas about the transitional Government, it is quite clear that early elections are ruled out and the caucus arrangements have been ruled out by the report. To now speculate on what the desirable outcome would be unwise, given that in this, as in many other areas, it is a question of whether the Iraqis themselves are content with what emerges. That, I believe, is the test we ought to apply in particular here.

In terms of criteria for the transitional Government, I believe it fair to say that, whatever the final process is, it should demonstrate a continuity of effort. It should show very clearly that things have changed materially on 30 June and that the outcome we hope for is a solution that is increasingly representative of the different parts in Iraq.

I drew much encouragement from what I perceive to be the wish of the Council to be united in its response to the situation in Iraq. There is agreement on maintaining the 30 June deadline for the transfer of sovereignty and agreement that elections are desirable as soon as they can be arranged and that we should start work on preparing for them as soon as possible. But the solutions that emerge are primarily for the Iraqis. Of course, if there is anything that the United Nations or the rest of us can do to facilitate that, so much the better.

Many of us have been talking about an increased role for the United Nations. That seems welcome, as does the report issued yesterday by the Secretary-General on the Brahimi mission (S/2004/140). Indeed, work on that will have to continue. I hope that the people of Iraq draw a lot of encouragement from this debate.

The President (*spoke in Chinese*): I thank Sir Emyr Jones Parry for the clarifications he has provided.

I now give the floor to Ambassador Negroponte to respond to comments and questions.

Mr. Negroponte (United States of America): Of course I subscribe to the remarks that were just made by my colleague, Ambassador Jones Parry, and I only wish to add a couple of points.

First of all, I agree that we have had a productive discussion today. I also appreciate the tone and the substance of the comments that have been made by Council members. I would like to elaborate a little on several of the specific questions that were posed.

Ambassador Pleuger asked about the transitional administrative law.

The Iraqis are hard at work on that law at the moment, and of course, as the Council knows, there is a deadline for its promulgation. There is a drafting committee within the Governing Council that is working on it. We also recognize the importance of ensuring that a wide range of Iraqis are consulted on the process of developing the transitional administrative law. The Coalition Provisional Authority has played an ongoing consultative role in that regard with the Governing Council. Our understanding is that the Iraqis have made significant progress towards the completion of the law and continue to work hard towards the achievement of the 28 February deadline, although it is not certain that the deadline will be met exactly.

With respect to the question of United Nations involvement in that process, I would note that the issue of the transitional administrative law was not covered in Mr. Brahimi's report — in the sense of advocating any United Nations involvement — or in the objectives of the fact-finding mission. I do not think it is the case that we would not welcome such a role under other circumstances, but given the time constraints and the scheduling issues, at this time we do not envisage a United Nations role in the process of drafting the transitional administrative law. As the Council knows, the focus of their efforts has been on other subjects, such as the conduct of elections and now going forward, I think, on the question of the transitional mechanism.

Ambassador Pleuger then asked about the next steps and what ideas we have on a transitional mechanism. I agree with Ambassador Jones Parry that it would probably be imprudent to speculate at this

point on what the various options are. There is some discussion of that in the Secretary-General's report. But I think we all agree — and this was a point that Mr. Brahimi made to us at the luncheon with the Secretary-General — that we would like to see this emerge from a process of discussion. We think it is important that there be as much buy-in and association with the outcome as absolutely possible on the part of the Iraqis.

I would also note in that regard that recommendation eight of the report makes the point that the fact that the resolution of the question of the timing of elections has now been decided — which I think is one of the most important outcomes, if not the most important outcome, of the report thus far — provides time and space for a more measured discussion of the issue of the transitional mechanism.

Ambassador Pleuger and a number of other delegations raised the question of security and the matter of a bilateral security agreement. I think I would limit my remarks here to saying that this is one of a number of topics that is currently under discussion in Baghdad with the Governing Council and that those discussions will continue.

Finally, let me say that as we did after the previous consultation, after reviewing the record of our meeting today, there may be some questions on which we wish to come back and respond to Council members in greater detail, and we will seek an opportunity to do that, whether it is in some written form or through the providing of a briefing, as we did in the case of transitional justice after the last meeting, or perhaps during the course of the Council's consultations in the consultations chamber.

Again, Mr. President, I would like to thank you and colleagues for the opportunity to hold what we think has been a very interesting discussion today.

The President (*spoke in Chinese*): I thank Ambassador Negroponte for the clarifications he has provided.

There are no further speakers remaining on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.15 p.m.